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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,326	07/30/2001	Keith Alexander Harrison	30006788-2	4475

7590

12/08/2006

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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 12/08/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/918,326
Filing Date: July 30, 2001
Appellant(s): HARRISON ET AL.

MAILED

DEC 08 2006

Technology Center 2100

Charles W. Griggers
Reg. No. 47,283
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 09/13/2006
appealing from the Office action mailed 03/15/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

6862583 MAZZAGATTE 3-2005

7003667 SLICK et al. 2-2006

Fischer, Addison M. (EP 0386867), (Oct. 26, 1994).

Mandelbaum, Richard et al. (EP 0671830) (Feb. 22, 1995).

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by Mazzagatte, U.S. Patent No. 6,862,583.

As per claim 10, the applicant describes a device comprising the following limitations which are met by Mazzagatte: a) a store of digital certificates, each certificate being associated with a most recent sender of a received digital document (Col 8, line 20 to Col 10, line 40); b) an audit log comprising a list of received document entries, each entry containing a reference to one of the certificates in the store and a unique identifier associated with a received digital document (Col 8, line 20 to Col 10, line 40); c) the received

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digital document and a digital certificate of a most recent sender of the received digital document are received contemporaneously by the facsimile machine (Col 8, line 20 to Col 10, line 40); d) the facsimile machine is configured to print the received digital document upon the most recent sender of the received digital document being authenticated (Col 8, line 20 to Col 10, line 40).

Mazzagatte teaches a method of authenticated secure printing in which a print node receives and stores documents and corresponding certificates. The documents and certificates are received contemporaneously. The print node waits for an intended recipient to arrive at the printer and present proper authentication. Once the intended recipient is authenticated, the printer then determines whether there are any print jobs queued for the intended recipient, and the print node may accordingly print a document.

Claim Rejections - 35 USC § 103

2. Claims 1-4, 9, and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzagatte in view of Slick, U.S. Patent No. 7,003,667.

As per claims 1 and 11, the applicant describes a document printout device comprising the following limitations which are

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met by Mazzagatte in view of Slick: a) a store of digital certificates, each certificate being associated with a received digital document and a most recent sender of the received digital document which is to be printed (Mazzagatte: Col 8, line 20 to Col 10, line 40); b) an audit log comprising a list of received document entries, each entry containing a reference to one of the certificates in the store, an encrypted digest corresponding to the received digital document of that entry, and a unique identifier associated with the received digital documents (Mazzagatte: Col 8, line 20 to Col 10, line 40; Slick: Col 13, lines 9-25); c) a decryption algorithm for decrypting the received encrypted digest associated with one of the received digital documents selected for verification (Slick: Col 13, lines 9-25); d) a hash algorithm for creating a digest of the selected digital document such that when the created digest corresponds to the decrypted digest, the digital certificate of the most recent sender is authenticated (Mazzagatte: Col 8, line 20 to Col 10, line 40; Slick: Col 13, lines 9-25); e) the received digital document, the received encrypted digest associated with the received digital document, and the digital certificate associated with the received digital document are received contemporaneously (Mazzagatte: Col 8, line 20 to Col 10, line 40; Slick: Col 13, lines 9-25); f) the document

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printout device is configured to print the received digital document upon the digital certificate of the most recent sender being authenticated (Mazzagatte: Col 8, line 20 to Col 10, line 40) ..

Mazzagatte fails to disclose that an encrypted digest may be sent with a digital document. Slick discloses that an encrypted digest may be sent because doing so allows for authentication and integrity verification purposes. It would have been obvious to combine the ideas of Slick with those of Mazzagatte because utilization of a digest allows for authentication and integrity verification purposes.

As per claims 2-3, the applicant describes the device of claim 1, which is met by Mazzagatte in view of Slick, with the following limitation which is met by Mazzagatte:

Wherein the device is arranged to carry out an on-line authentication of a received certificate held in the store of received documents (Mazzagatte: Col 8, line 20 to Col 10, line 40) .

As per claim 4, the applicant describes the device of claim 1, which is met by Mazzagatte in view of Slick, with the following limitation which is met by Mazzagatte and Slick:

Wherein each entry in the audit log contains a digest of the received document to which it relates (Mazzagatte: Col 8, line 20 to Col 10, line 40; Slick: Col 13, lines 9-25).

As per claim 9, the applicant describes the device of claim 1, which is met by Mazzagatte in view of Slick, with the following limitation which is met by Mazzagatte:

Wherein the unique identifier is an alphanumeric code and the device further comprises an input module for inputting the code to access the relevant entry in the audit log (Mazzagatte: Col 10, lines 12-24).

As per claims 12-16, the applicant describes the device according to claims 1 and 11, which are met by Mazzagatte in view of Slick, with the following limitation which is met by Slick:

Wherein each digital certificate comprises a public key associated with a sender of the received digital document; wherein the decryption algorithm decrypts the encrypted digest using the sender's public key extracted from the digital certificate; wherein the hash algorithm computes a digest of a document copy, and wherein authenticity of the copied document is verified when the computed digest corresponds to the decrypted digest (Slick: Col 16, lines 25-39).

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3. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzagatte in view of Slick in further view of Fischer, European Patent No. 0386867B1.

As per claim 5, the applicant describes a device according to claim 4, which is met by Mazzagatte in view of Slick, with the following limitation which is met by Fischer:

Further comprising a hash algorithm for creating a digest of a digital document and a receiving module for receiving a digital representation of a previously printed out document, wherein the device is arranged to create a digest of the digital representation of the previously printed out document and to compare the newly created digest with the corresponding digest stored in the audit log (Fischer: Page 17, lines 21-36).

Mazzagatte in view of Slick discloses all the limitations of claim 4. However, Mazzagatte in view of Slick fails to disclose the use of printing out a document and then scanning it back in to create a new digest for comparison of a stored digest. Fischer describes a system where a document that is printed out can be scanned back in. Upon doing this, a digest of it is created for comparison of it with a saved digital signature to make sure the document is genuine. In the case where a user wants to verify that a printed out document is authentic or was printed out at a particular machine, a newly

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created digest could be used to reference an audit record via a saved digest.

The newly created digest would be compared with saved digests, and if a match occurs, the corresponding audit record is pulled up which can verify whether the document was printed out at the particular machine and what time it was printed out for security or non-repudiation means. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the idea of Fischer with those of Mazzagatte in view of Slick because doing so further allows for integrity verification of a printed out document.

As per claim 6, the applicant describes a device according to claim 5, which is met by Mazzagatte in view of Slick in further view of Fischer, with the following limitation which is met by Fischer:

Wherein the device is arranged to send either a stored digest or a newly created digest of a document to its original sender to verify the authenticity of the document back to its source by considering the transmitted results of a comparison of digests carried out at the source (Fischer: Page 18, lines 29-36).

As per claim 7, the applicant describes a device according to claim 5, which is met by Mazzagatte in view of Slick in

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further view of Fischer, with the following limitation which is met by Fischer:

Wherein the receiving module is a document scanning module (Fischer: Page 17, lines 21-36).

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzagatte in view of Slick in further view of Mandelbaum, EP Patent No. 0671830A2.

As per claim 8, the applicant describes the device according to claim 1, which is met by Mazzagatte in view of Slick, with the following limitation which is met by Mandelbaum:

Wherein each entry in the audit log contains the time and date of receipt of each digital document (Mandelbaum: Table 404 of Fig 4).

Mazzagatte in view of Slick disclose all the limitations of claim 1. However, Mazzagatte in view of Slick appear to be silent as to including a document time and date. Mandelbaum discloses that a document may be associated with a time and date. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Mandelbaum with those of Mazzagatte in view of Slick and include a time and date because doing so provides a number of benefits, including allowing a recipient to know how long a document has been queued.

(10) Response to Argument

A. Claim Rejections - 35 USC 102(e)

Appellant argues that Mazzagatte fails to teach or suggest a, "facsimile machine is configured to print the received digital document upon the most recent sender of the received digital document being authenticated," as recited in claim 10.

With respect to this argument, Mazzagatte teaches that the "print node then waits for the intended recipient to arrive at the printer and present the proper authentication information in order to retrieve the print job and have it printed." Column 9 lines 31-35. Furthermore, Mazzagatte teaches that "the sender and the intended recipient maybe one in the same." Column 7 lines 17-18. Therefore, when the sender and the recipient are the same person the system waits for the intended recipient (in this case the sender) to be properly authenticated before printing the document. Since these documents are queued (see column 10 lines 13-24), Mazzagatte anticipates this limitation because when the queue contains a single document to be printed the intended recipient (i.e. the sender) being authenticated at the print node would also be the most recent sender. Also, "the print node may be any image forming device, such as a printer or a facsimile." Column 2 lines 46-51. Therefore, Mazzagatte

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teaches "facsimile machine is configured to print the received digital document upon the most recent sender of the received digital document being authenticated."

B. Claim Rejections - 35 USC 103(a)

Appellant argues that Mazzagatte in view of Slick fails to teach or suggest, "the document printout device is configured to print the received digital document upon the digital certificate of the most recent sender being authenticated," as recited in claim 10.

With respect to this argument, Mazzagatte teaches that the "print node then waits for the intended recipient to arrive at the printer and present the proper authentication information in order to retrieve the print job and have it printed." Column 9 lines 31-35. Furthermore, Mazzagatte teaches that "the sender and the intended recipient maybe one in the same." Column 7 lines 17-18. Therefore, when the sender and the recipient are the same person the system waits for the intended recipient (in this case the sender) to be properly authenticated before printing the document. Since these documents are queued (see column 10 lines 13-24), Mazzagatte anticipates this limitation because when the queue contains a single document to be printed the intended recipient (i.e. the sender) being authenticated at

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the print node would also be the most recent sender. Also, Mazzagatte teaches the use of a digital certificate for use of authentication (see column 9 lines 46-55 where the unique identification information being authenticated is a digital certificate as described in column 8 lines 20-29). Slick teaches, "a printed or faxed document can only be generated at an intended image output device in the presence of an intended recipient." Column 1 lines 35-38. As stated above the intended recipient of the combination of Mazzagatte and Slick can be the same as the sender. Therefore, the combination teaches "the document printout device is configured to print the received digital document upon the digital certificate of the most recent sender being authenticated."

With respect to claims 5-7 and 8, Appellant argues that Fischer and Mandelbaum respectfully fail to make up for the deficiencies of Mazzagatte in view of Slick. This argument is moot in view of the above response.

With respect to claims 11-16, argues that Mazzagatte in view of Slick fails to teach or suggest "printing the received digital document if the certificate of the most recent sender of the received digital document is authenticated, wherein the received digital document, the received encrypted digest associated with the received digital document, and the digital

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certificate associated with the received digital document are received contemporaneously," as recited in claim 11.

With respect to this argument, Mazzagatte teaches that the "print node then waits for the intended recipient to arrive at the printer and present the proper authentication information in order to retrieve the print job and have it printed." Column 9 lines 31-35. Furthermore, Mazzagatte teaches that "the sender and the intended recipient maybe one in the same." Column 7 lines 17-18. Therefore, when the sender and the recipient are the same person the system waits for the intended recipient (in this case the sender) to be properly authenticated before printing the document. Since these documents are queued (see column 10 lines 13-24), Mazzagatte anticipates this limitation because when the queue contains a single document to be printed the intended recipient (i.e. the sender) being authenticated at the print node would also be the most recent sender. Also, Mazzagatte teaches the use of a digital certificate for use of authentication (see column 9 lines 46-55 where the unique identification information being authenticated is a digital certificate as described in column 8 lines 20-29). Slick teaches, "a printed or faxed document can only be generated at an intended image output device in the presence of an intended recipient." Column 1 lines 35-38. As stated above the intended

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recipient of the combination of Mazzagatte and Slick can be the same as the sender. Slick also discloses the received digital document, the received encrypted digest associated with the received digital document are received contemporaneously (see column 13 lines 9-25) and Mazzagatte discloses the digital certificate associated with the received digital document and the received digital document are received contemporaneously (see column 9 lines 8-25). Therefore the combination teaches "printing the received digital document if the certificate of the most recent sender of the received digital document is authenticated, wherein the received digital document, the received encrypted digest associated with the received digital document, and the digital certificate associated with the received digital document are received contemporaneously."

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Michael J. Pyzocha

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12/5/04

December 5, 2006


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